



DEPARTMENT OF DEFENSE  
UNITED STATES SOUTHERN COMMAND  
9301 NW 33RD STREET  
DORAL, FL 33172

REPLY TO  
ATTENTION OF

September 19, 2018

Office of the Staff Judge Advocate,  
Office of Freedom of Information Act

Ref: SC 17-119-S

MuckRock News  
c/o Muira McCammon  
DEPT MR 38017  
411A Highland Ave  
Somerville, MA 02144-2516

Dear Ms. McCammon:

This is our Agency's final response to your electronic Freedom of Information Act (FOIA) request dated June 17, 2017. Your request sought copies of all versions of the JTF-Guantanamo Bay Media Ground Rules that were released between 2001 and 2017.

The Joint Task Force Guantanamo (JTF-GTMO) conducted a search for information responsive to your request and located five responsive documents, consisting of 32 pages.

After a line-by-line review of the responsive documentation, our Agency in conjunction with the U.S. Naval Station, Guantanamo Bay made the following release determinations:

Certain information is protected from release under 5 U.S.C. § 552 (b)(3), which authorizes the protection of information specifically exempted from disclosure by statute, in this case the statute being 10 U.S.C. § 130b providing for the nondisclosure of personally identifying information of personnel in overseas, sensitive, or routinely deployable units. Additionally, release of other information would constitute a clearly unwarranted invasion of the personal privacy of individuals and is accordingly not released under 5 U.S.C. § 552 (b)(6).

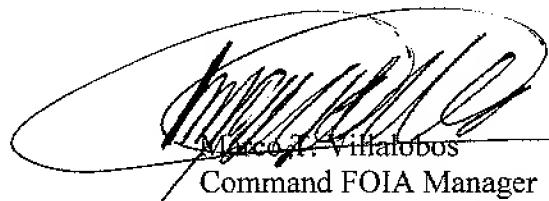
Redaction of information in these categories were made and marked on the enclosed document. Denial of the redacted information is made pursuant to (b)(3) and (b)(6) by Lieutenant Commander Jesse A. Schaefer, U.S. Navy, Deputy Staff Judge Advocate, Joint Task Force Guantanamo, Guantanamo Bay, Cuba.

If you are not satisfied with this action, you have the right to appeal to the appellate authority, Ms. Joo Chung, Director of Oversight and Compliance, Office of the Secretary of Defense, by writing directly to ODCMO Directorate for Oversight and Compliance, 4800 Mark Center Drive, Attn: DCPLTD, FOIA Appeals, Mailbox #24, Alexandria, VA 22350-1700. Your appeal must be postmarked within 90 calendar days of the date of this response. Alternatively, you may also submit your appeal electronically, within 90 calendar days of the date of this response, at the following link: <https://pal.whs.mil/palMain.aspx>, or email your appeal to

OSD.FOIAAPPEAL@mail.mil. If you use email, please have the words "FOIA Appeal" in the subject of the email. Your appeal should cite case number SC 17-119-S, and be clearly marked "Freedom of Information Act Appeal." A copy of this letter should be enclosed with your appeal.

With this action, I am administratively closing this file in this office. There are no assessable fees associated with this response. Address any further questions to the undersigned at (305) 437-1108. Refer to the above case control number.

Sincerely,



Marco J. Villalobos  
Command FOIA Manager

Enclosures



## JTF-GTMO Media Policy

### Guantanamo Bay NAS, Cuba

as of June 2006

This policy establishes procedures for civilian news media deploying to the U.S. Southern Command (SOUTHCOM) Area of Responsibility (AOR) to cover Joint Task Force Guantanamo (GTMO) operations. The receipt of this document does not guarantee media travel to the AOR. The United States Department of Defense and JTF-GTMO will do its utmost to facilitate access for media members to provide their audiences imagery and reporting from Guantanamo Bay, Cuba. Access to NB Guantanamo does not imply unlimited access to personnel or facilities.

**General:** The U.S. is treating and will continue to treat all detained enemy combatants at Guantanamo Bay in a safe and humane manner, consistent with military necessity, and in the spirit of the principles of the Third Geneva Convention of 1949.

#### **Prior to departing:**

Transportation to and from U.S. Naval Base (NAVBASE) Guantanamo Bay (GTMO), Cuba is the responsibility of the visiting media. Occasionally GTMO Public Affairs will provide transportation on a space-available basis after approval. However, travel modes are tentative and must remain flexible due to unexpected operational missions. Media must be prepared for an extended stay at GTMO before a returning flight to the Continental United States (CONUS) is scheduled. Return military flights may not return to the original embarkation point. If necessary, once in CONUS or in a U.S. territory, media representatives may have to seek commercial arrangements at their own expense.

We recommend you pack appropriate supplies and clothing for this tropical climate. Please bring only the minimum amount of personal effects and equipment. You must provide your own personal and professional gear, including protective equipment cases, batteries, cables, satellite telephones and converters, etc.

Personnel are reminded that casual clothing is appropriate for this tour. Appropriate clothing consists of loose-fitting slacks and short/long sleeved shirts. Excluded are sleeveless shirts, tight-fitting clothing and open-toed shoes.

You are encouraged to travel with spare cash, credit cards, copies of Area Clearance approval form, and shot records. Weapons of any type are not authorized.

You must travel with a valid passport. If you are a non-US citizen you must have in your possession a valid Visa. Media representatives who do not have a passport will not be permitted on the island.

Notify your personal physician as soon as possible to receive any necessary immunizations. (Recommended immunizations include, but are not limited to: immune serum globulin, tetanus-diphtheria, oral polio, typhoid, yellow fever and malaria pills.)

#### **Media Operations at Guantanamo Bay:**

Travel to the Joint Task Force Guantanamo is for the purpose of showing media representatives detainee operations at GTMO. Once at GTMO, the JTF PAO will coordinate media operations, briefings, interviews, and communications support. International law defines media access to detainees and detainee related activities. The JTF Commander, through the JTF PAO, will make the final determination regarding media access to all JTF facilities.

**NOTE: Current Department of Defense (DoD) policy prohibits personal contact and filming/recording of the detainees except as discussed below.**

The JTF Commander will ensure the following support to news media representatives:

- Concurrent transportation on military vehicles as required.
- Use of military dining facilities. Costs for meals may be collected as required.
- Billeting
- Medical care from military medical personnel and facilities when civilian care is not available or practical, on a reimbursable basis to the government for treatment rendered.
- The sponsoring news organization will be notified when correspondents require evacuation from the area because of injury or other health reasons. The responsibility for notifying next of kin of all correspondents who are determined to be seriously ill, wounded, killed or missing lies with the news organization. The release of names of correspondents in such cases is the responsibility of the sponsoring news agency.
- Access to unclassified communications facilities is authorized when available.

**RELEASE AUTHORITY: The Department of Defense is the sole releasing authority for all military information contained in all media (audio visual, photography, graphics, sketches, etc.) gathered or produced within the area of operations.**





## **JTF-GTMO Ground Rules Guantanamo Bay NAS, Cuba as of June 2006**

Ground Rules are established to ensure protected information such as classified information, intelligence collections capabilities, and sources and methods are not compromised and to protect the security of commission participants by preserving anonymity.

**Failure to comply with these ground rules or the instructions of the Public Affairs escort could result in permanent expulsion and may result in the removal of the parent news organization from further participation in the commissions coverage assignment process. Disclosure of classified information may subject the News Media Representative (NMR) to criminal prosecution.**

By signing this document, a NMR is agreeing to abide by the following conditions:

1. To not publish, release, discuss or share information identified by JTF-Guantanamo personnel as being protected. Protected information includes prohibited items listed in these ground rules as well as information or images determined protected by the security review staff. All Imagery taken must be digital!

2. NMRs who desire to photograph or videotape detainees as described below must submit in writing a request to the Joint Task Force Commander, Joint Task Force Guantanamo Bay. In that request, please include the context in which the photographs or videotape will be used and the basis for your request. All requests must be submitted and approved prior to the NMR's scheduled visit.

***Department of Defense policies prohibit the filming/recording of detainees. Our mission is to ensure the detainee is protected under this policy.***

3. If approved, NMRs *may* be permitted to tape or photograph from angles that do not identify detainees by facial or distinguishing features. If approved, NMRs *may* take images of detainees where the face or distinguishing feature not visible in the frame, such as tight shots of hands, tight shots of feet when a detainee is being moved, shots from above, and shots of the back of the head.

4. NMRs may take shots such as those that have already been released by DoD, to include shots of empty facilities, images of detainees or groups in and about the detention facilities and detainees engaged in outdoor recreation or prayer, as long as identifying features are not visible.

5. Video recording equipment and cameras will be allowed in the commissions courtroom when court is not in session or the courtroom is not actively designated a secure facility for the presentation of classified information.

6. Interviews with JTF senior commanders, support staff, detention camp personnel, and public affairs staff personnel are permitted after approval of the Joint Task Force Commander.

7. The following media activities are prohibited and may be subject to embargo:

a. No front facial shots of detainees may be taken at any time, even with the intent of distorting or hiding facial images during production and broadcast. Front facial shots at distances are prohibited. Photos of other features considered distinguishing that could lead to the identity of a detainee may be prohibited by the Public Affairs Officer on scene and embargoed if discovered during the security review.

b. No audio, video recordings, photographs or other electronic images, or drawings, sketches or likenesses may be rendered of any detainee when that image or recording may reveal that detainee's identity or nationality. Identities and nationalities of any detainee will not be disclosed unless previously released by OASD (PA).

c. NMRs may not discuss or reveal where the detention, commissions or headquarters facilities are located on the Naval Base. No maps or sketches of the base or any facilities will be produced or released at any time. Images or descriptions of security measures will not be recorded, discussed or released at any time.

d. JTF personnel must approve the release of their names or images prior to media release.

e. Commanders and staff members will not discuss security measures, interrogation methods, or the specific intelligence gained from interrogations. JTF members may discuss their role in the operations of JTF-GTMO as already released by OSD, but will not speculate as to future operations at Guantanamo.

f. Further, any direct or indirect contact, communication, interviews, photography, videography or other interaction with Cuban or Haitian migrant personnel on Naval Base Guantanamo Bay is expressly prohibited.

g. All news media representatives are required to abstain from photography of radar domes and antenna arrays situated throughout Naval Base Guantanamo Bay, as well as: coastlines from Windmill Beach to Cuba, security checkpoints, and air terminal or any military aircraft.

h. Selected detainee movements may be observed, but NEVER filmed, taped, or recorded. Reporting of detainees in transit, including ground and air movement between detention facilities, or movement between detention facilities, courtroom facilities and

transportation (bus, ferry, aircraft, etc.) is not permitted. Audio/video, sketching or camera coverage of detainee interrogations is not permitted.

i. The names and nationalities of detainees are not releasable unless approved by OSD (Office of the Secretary of Defense).

**8. A security review of media will be conducted daily if appropriate or as a minimum prior to departure from NB Guantanamo.**

a. NMR will be responsible for providing compatible video/audio format playback device for material review.

b. The security review panel will consist of the NMR, PAO, and the J2 (Intelligence). NMR will provide the panel all still and video imagery, and audio made in security facilities, such as Camp Delta. NMR representatives are responsible to ensure video imagery can be played to television or played back on a computer.

c. The security review team will review images with the NMR present and provide to the NMR reasons for any embargo imposed. JTF-GTMO will identify by frame or photo number, which images are not for publication or broadcast. A written conclusion of the panel will be provided to the NMR with a copy retained at JTF-GTMO PAO.

d. Embargoes may be imposed by the JTF-PAO when necessary to protect security.



## **JTF-GTMO Media Policy at Guantanamo Bay NAS, Cuba**

### **Agree to Abide**

Media representatives must agree to and sign the Media Ground Rules prior to being allowed access to Naval Base Guantanamo Bay, Cuba.

Failure to follow these ground rules and instructions issued by the Joint Information Bureau will result in restricted access on GTMO, removal from the installation and revocation of press credentials. By signing this document, the NMR is agreeing to abide by these restrictions.

If additional information is required, contact the SOUTHCOM PAO at (305) 437-1213. Fax (305) 437-1241.

**Please sign the following, acknowledging that you have read and understand these ground rules and limitations. Each traveler must email this signed page of these ground rules to JTF-GTMO PAO at**

(b)(3);10 U.S.C. § 130b.(b)(5)

**or**

(b)(3);10 U.S.C. § 130b.(b)(5)

### **Acceptance of Ground Rules for Media Visits to Guantanamo Bay NAS, Cuba**

Name	Affiliation
Position	Work Phone
Cell Phone	Fax
Soc. Security Number	Date of Birth
Passport Number	Place of issuance
Emergency contact information (Name and phone number):	

Name \_\_\_\_\_ Phone \_\_\_\_\_

**I understand and will comply with the ground rules listed above. I also understand that the U.S. Government assumes no liability or responsibility for my personal safety.**

Signature \_\_\_\_\_ Date \_\_\_\_\_





## JTF-GTMO Media Ground Rules Guantanamo Bay NAS, Cuba

as of May 2007

Ground Rules are established to ensure protected information such as classified information, intelligence collections capabilities, and sources and methods are not compromised and to protect the security of commission participants by preserving anonymity.

Failure to comply with these ground rules or the instructions of the Public Affairs escort could result in permanent expulsion and may result in the removal of the parent news organization from further participation in the commissions coverage assignment process. Disclosure of classified information may subject the News Media Representative (NMR) to criminal prosecution.

By signing this document, you are agreeing to abide by the following conditions:

1. Not to manipulate images to be anything other than as they were taken.  
**Panning, cropping, blurring, or any other forms of photo editing as well as video editing ARE NOT ALLOWED.**

2. Not to publish, release, discuss or share information identified by JTF-Guantanamo personnel as being protected. **Protected information includes prohibited items listed in these ground rules as well as information or images determined protected by the Security Review Staff and Public Affairs Office.** All Imagery taken must be digital!

3. NMRs who desire to photograph or videotape detainees as described below must submit in writing a request to the Joint Task Force Commander, Joint Task Force Guantanamo Bay. In that request, please include the context in which the photographs or videotape will be used and the basis for your request. All requests must be submitted and approved prior to the NMR's scheduled visit.

**Department of Defense policies prohibit the filming/recording of detainees. Our mission is to ensure the detainee is protected under this policy.**

4. If approved, NMRs *may* be permitted to tape or photograph from angles that do not identify detainees by facial or distinguishing features. If approved, NMRs *may* take images of detainees where the face or distinguishing features are not visible in the frame, such as tight photos/images/pictures of hands, tight shots of feet when a detainee is being moved, photos/images/pictures from above, and photos/images/pictures of the back of the head.

5. NMRs may take shots such as those that have already been released by DoD, to include photos/images/pictures of empty facilities, images of detainees or groups in and about the detention facilities and detainees engaged in outdoor recreation or prayer, as long as identifying features are not visible.

6. Unless otherwise advised, video recording equipment and cameras will be allowed in the commissions courtroom when court is not in session or the courtroom is not actively designated a secure facility for the presentation of classified information.

7. Interviews with JTF-GTMO senior commanders, support staff, detention camp personnel, and public affairs staff personnel are permitted after approval of the JTF-GTMO Commander.

8. The following media activities are prohibited and may be subject to embargo:

a. No front facial shots of detainees may be taken at any time, even with the intent of distorting or hiding facial images during production and broadcast. Front facial shots at distances are prohibited. Photos of other features considered distinguishing that could lead to the identity of a detainee may be prohibited by the Public Affairs Officer on scene and embargoed if discovered during the security review.

b. No audio, video recordings, photographs or other electronic images, or drawings, sketches or likenesses may be rendered of any detainee when that image or recording may reveal that detainee's identity or nationality. Identities and nationalities of any detainee will not be disclosed unless previously released by OASD (PA).

c. NMRs may not discuss or reveal where the detention, commissions or headquarters facilities are located on the Naval Base. No maps or sketches of the base or any facilities will be produced or released at any time. Images or descriptions of security measures will not be recorded, discussed or released at any time.

d. JTF personnel must approve the release of their names or images prior to media release.

e. Commanders and staff members may not discuss security measures, interrogation methods, or the specific intelligence gained from interrogations. JTF-GTMO members may discuss their role in the operations of JTF-GTMO as already released by OSD, but will not speculate as to future operations at Guantanamo.

f. Direct or indirect contact, communication, interviews, photography, videography or other interaction with Cuban or Haitian migrant personnel on Naval Base Guantanamo Bay is expressly prohibited.

g. All news media representatives are required to abstain from photography of radar domes and antenna arrays situated throughout Naval Station, Guantanamo Bay, as well as: coastlines from Windmill Beach to Cuba including shots of the coastline from



inside camps, security checkpoints, any Intrusion Detection System, the air terminal, or any military aircraft.

h. Selected detainee movements may be observed, but NEVER filmed, taped, or recorded. Reporting of detainees in transit, including ground and air movement between detention facilities, or movement between detention facilities, courtroom facilities and transportation (bus, ferry, aircraft, etc.) is not permitted. Audio/video, sketching or camera coverage of detainee interrogations is not permitted.

i. The names and nationalities of detainees are not releasable unless approved by OSD (Office of the Secretary of Defense).

9. Additionally, all visiting photographers agree to comply with The National Press Photographers Association Code of Ethics.

a. Photojournalists and those who manage visual news productions are accountable for upholding the following standards:

1. Be accurate and comprehensive in the representation of subjects.
2. Resist being manipulated by staged photo opportunities.
3. Be complete and provide context when photographing or recording subjects. Avoid stereotyping individuals and groups. Recognize and work to avoid presenting one's own biases in the work.
4. Treat all subjects with respect and dignity. Give special consideration to vulnerable subjects and compassion to victims of crime or tragedy. Intrude on private moments of grief only when the public has an overriding and justifiable need to see.
5. While photographing subjects do not intentionally contribute to, alter, or seek to alter or influence events.
6. Editing should maintain the integrity of the photographic images' content and context. Do not manipulate images or add or alter sound in any way that can mislead viewers or misrepresent subjects.
7. Do not pay sources or subjects or reward them materially for information or participation.
8. Do not accept gifts, favors, or compensation from those who might seek to influence coverage.
9. Do not intentionally sabotage the efforts of other journalists.

b. Ideally, photojournalists should:

1. Strive to ensure that the public's business is conducted in public. Defend the rights of access for all journalists.

2. Think proactively, as a student of psychology, sociology, politics and art to develop a unique vision and presentation. Work with a voracious appetite for current events and contemporary visual media.

3. Strive for total and unrestricted access to subjects, recommend alternatives to shallow or rushed opportunities, seek a diversity of viewpoints, and work to show unpopular or unnoticed points of view.

4. Avoid political, civic and business involvements or other employment that compromise or give the appearance of compromising one's own journalistic independence.

5. Strive to be unobtrusive and humble in dealing with subjects.

6. Respect the integrity of the photographic moment.

7. Strive by example and influence to maintain the spirit and high standards expressed in this code. When confronted with situations in which the proper action is not clear, seek the counsel of those who exhibit the highest standards of the profession. Photojournalists should continuously study their craft and the ethics that guide it.

**10. A security review of media will be conducted daily by an OPSEC Representative or, at a minimum, by a Public Affairs Representative, daily and prior to departure from Naval Station, Guantanamo,**

a. NMR will be responsible for providing compatible video/audio format playback device for material review.

b. The security review panel will consist of the NMR, PAO, and the J2 (Intelligence). NMR will provide the panel all still and video imagery and audio made in security facilities, such as Camp Delta. NMR representatives are responsible to ensure video imagery can be played to television or played back on a computer.

c. The security review team will review images with the NMR present and provide to the NMR reasons for any embargo imposed. JTF-GTMO will identify by frame or photo number, images that are not for publication or broadcast. A written conclusion of the panel will be provided to the NMR with a copy retained at JTF-GTMO PAO.

d. Embargoes may be imposed by the JTF-PAO when necessary to protect security.

11. For further information regarding this policy, please contact the SOUTHCOM PAO, Col. William Costello, at (305) 437-1213.



## **JTF-GTMO Media Policy at Guantanamo Bay NAS, Cuba Agree to Abide**

Media representatives must agree to and sign the Media Ground Rules prior to being allowed access to Naval Station, Guantanamo Bay, Cuba.

Failure to follow these ground rules and instructions issued by the Joint Information Bureau will result in restricted access on GTMO, removal from the installation and revocation of press credentials. By signing this document, the NMR is agreeing to abide by these restrictions.

If additional information is required, contact the SOUTHCOM PAO, Col. William Costello, at (305) 437-1213. Fax (305) 437-1241.

Please sign the following, acknowledging that you have read and understand these ground rules and limitations. Each traveler must email this signed page of these ground rules to JTF-GTMO PAO at (b)(3);10 U.S.C. § 130b;(b)(6) or

(b)(3);10 U.S.C. § 130b;(b)(6)

### **Acceptance of Ground Rules for Media Visits to Guantanamo Bay NAS, Cuba**

**I understand and will comply with the ground rules listed above. I also understand that the U.S. Government assumes no liability or responsibility for my personal safety, while on U.S. Naval Station, Guantanamo.**

Signature \_\_\_\_\_ Date \_\_\_\_\_





## JTF-GTMO Media Ground Rules Guantanamo Bay NAS, Cuba

September 2008

Ground Rules are established to ensure protected information such as classified information, intelligence collections capabilities, and sources and methods are not compromised and to protect the security of commission participants by preserving anonymity.

Failure to comply with these ground rules or the instructions of the Public Affairs escort could result in permanent expulsion and may result in the removal of the parent news organization from further participation in the commissions coverage assignment process. Disclosure of classified information may subject the News Media Representative (NMR) to criminal prosecution.

By signing this document, you are agreeing to abide by the following conditions:

1. Not to manipulate images to be anything other than as they were taken.  
**Panning, cropping, blurring, or any other forms of photo editing as well as video editing ARE NOT ALLOWED.**

2. Not to publish, release, discuss or share information identified by JTF-Guantanamo personnel as being protected. **Protected information includes prohibited items listed in these ground rules as well as information or images determined protected by the Security Review Staff and Public Affairs Office.** All Imagery taken must be digital!

3. NMRs who desire to photograph or videotape detainees as described below must submit in writing a request to the Joint Task Force Commander, Joint Task Force Guantanamo Bay. In that request, please include the context in which the photographs or videotape will be used and the basis for your request. All requests must be submitted and approved prior to the NMR's scheduled visit.

**Department of Defense policies prohibit the filming/recording of detainees. Our mission is to ensure the detainee is protected under this policy.**

4. If approved, NMRs *may* be permitted to tape or photograph from angles that do not identify detainees by facial or distinguishing features. If approved, NMRs *may* take images of detainees where the face or distinguishing features are not visible in the frame, such as tight photos/images/pictures of hands, tight shots of feet when a detainee is being moved, photos/images/pictures from above, and photos/images/pictures of the back of the head.

5. NMRs may take shots such as those that have already been released by DoD, to include photos/images/pictures of empty facilities, images of detainees or groups in and about the detention facilities and detainees engaged in outdoor recreation or prayer, as long as identifying features are not visible.

6. Unless otherwise advised, video recording equipment and cameras will be allowed in the commissions courtroom when court is not in session or the courtroom is not actively designated a secure facility for the presentation of classified information.

7. Interviews with JTF-GTMO senior commanders, support staff, detention camp personnel, and public affairs staff personnel are permitted after approval of the JTF-GTMO Commander.

8. The following media activities are prohibited and may be subject to embargo:

a. No front facial shots of detainees may be taken at any time, even with the intent of distorting or hiding facial images during production and broadcast. Front facial shots at distances are prohibited. Photos of other features considered distinguishing that could lead to the identity of a detainee may be prohibited by the Public Affairs Officer on scene and embargoed if discovered during the security review.

b. No audio, video recordings, photographs or other electronic images, or drawings, sketches or likenesses may be rendered of any detainee when that image or recording may reveal that detainee's identity or nationality. Identities and nationalities of any detainee will not be disclosed unless previously released by OASD (PA).

c. NMRs may not discuss or reveal where the detention, commissions or headquarters facilities are located on the Naval Base. No maps or sketches of the base or any facilities will be produced or released at any time. Images or descriptions of security measures will not be recorded, discussed or released at any time.

d. JTF personnel must approve the release of their names or images prior to media release.

e. Commanders and staff members may not discuss security measures, interrogation methods, or the specific intelligence gained from interrogations. JTF-GTMO members may discuss their role in the operations of JTF-GTMO as already released by OSD, but will not speculate as to future operations at Guantanamo.

f. Direct or indirect contact, communication, interviews, photography, videography or other interaction with Cuban or Haitian migrant personnel on Naval Base Guantanamo Bay is expressly prohibited.

g. All news media representatives are required to abstain from photography of radar domes and antenna arrays situated throughout Naval Station, Guantanamo Bay, as well as: coastlines from Windmill Beach to Cuba including shots of the coastline from



inside camps, security checkpoints, any Intrusion Detection System, the air terminal, or any military aircraft.

h. Selected detainee movements may be observed, but NEVER filmed, taped, or recorded. Reporting of detainees in transit, including ground and air movement between detention facilities, or movement between detention facilities, courtroom facilities and transportation (bus, ferry, aircraft, etc.) is not permitted. Audio/video, sketching or camera coverage of detainee interrogations is not permitted.

i. The names and nationalities of detainees are not releasable unless approved by OSD (Office of the Secretary of Defense).

9. Additionally, all visiting photographers agree to comply with The National Press Photographers Association Code of Ethics.

a. Photojournalists and those who manage visual news productions are accountable for upholding the following standards:

1. Be accurate and comprehensive in the representation of subjects.
2. Resist being manipulated by staged photo opportunities.
3. Be complete and provide context when photographing or recording subjects. Avoid stereotyping individuals and groups. Recognize and work to avoid presenting one's own biases in the work.
4. Treat all subjects with respect and dignity. Give special consideration to vulnerable subjects and compassion to victims of crime or tragedy. Intrude on private moments of grief only when the public has an overriding and justifiable need to see.
5. While photographing subjects do not intentionally contribute to, alter, or seek to alter or influence events.
6. Editing should maintain the integrity of the photographic images' content and context. Do not manipulate images or add or alter sound in any way that can mislead viewers or misrepresent subjects.
7. Do not pay sources or subjects or reward them materially for information or participation.
8. Do not accept gifts, favors, or compensation from those who might seek to influence coverage.
9. Do not intentionally sabotage the efforts of other journalists.

b. Ideally, photojournalists should:

1. Strive to ensure that the public's business is conducted in public. Defend the rights of access for all journalists.

2. Think proactively, as a student of psychology, sociology, politics and art to develop a unique vision and presentation. Work with a voracious appetite for current events and contemporary visual media.

3. Strive for total and unrestricted access to subjects, recommend alternatives to shallow or rushed opportunities, seek a diversity of viewpoints, and work to show unpopular or unnoticed points of view.

4. Avoid political, civic and business involvements or other employment that compromise or give the appearance of compromising one's own journalistic independence.

5. Strive to be unobtrusive and humble in dealing with subjects.

6. Respect the integrity of the photographic moment.

7. Strive by example and influence to maintain the spirit and high standards expressed in this code. When confronted with situations in which the proper action is not clear, seek the counsel of those who exhibit the highest standards of the profession. Photojournalists should continuously study their craft and the ethics that guide it.

10. A security review of media will be conducted daily by an OPSEC Representative or, at a minimum, by a Public Affairs Representative, daily and prior to departure from Naval Station, Guantanamo.

a. NMR will be responsible for providing compatible video/audio format playback device for material review.

b. The security review panel will consist of the NMR, PAO, and the J2 (Intelligence). NMR will provide the panel all still and video imagery and audio made in security facilities, such as Camp Delta. NMR representatives are responsible to ensure video imagery can be played to television or played back on a computer.

c. The security review team will review images with the NMR present and provide to the NMR reasons for any embargo imposed. JTF-GTMO will identify by frame or photo number, images that are not for publication or broadcast. A written conclusion of the panel will be provided to the NMR with a copy retained at JTF-GTMO PAO.

d. Embargoes may be imposed by the JTF-PAO when necessary to protect security.

11. For further information regarding this policy, please contact the SOUTHCOM PAO, Col. William Costello, at (305) 437-1213.



## **JTF-GTMO Media Policy at Guantanamo Bay NAS, Cuba Agree to Abide**

Media representatives must agree to and sign the Media Ground Rules prior to being allowed access to Naval Station, Guantanamo Bay, Cuba.

Failure to follow these ground rules and instructions issued by the Joint Information Bureau will result in restricted access on GTMO, removal from the installation and revocation of press credentials. By signing this document, the NMR is agreeing to abide by these restrictions.

If additional information is required, contact the SOUTHCOM PAO, Col. William Costello, at (305) 437-1213. Fax (305) 437-1241.

Please sign the following, acknowledging that you have read and understand these ground rules and limitations. Each traveler must email this signed page of these ground rules to JTF-GTMO PAO at (b)(3);10 U.S.C. § 1306;(b)(6) or send by fax ATTN: (b)(3);10 U.S.C. § 1306;(b)(6)

### **Acceptance of Ground Rules for Media Visits to Guantanamo Bay NAS, Cuba**

Name:  
Affiliation:  
Position:  
Work Phone:  
Cell Phone:  
Fax:  
Soc. Security Number:  
Date of Birth:  
Passport Number:  
Place of issuance:  
Emergency contact information (Name and phone number):

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

**I understand and will comply with the ground rules listed above. I also understand that the U.S. Government assumes no liability or responsibility for my personal safety, while on U.S. Naval Station, Guantanamo.**

Signature \_\_\_\_\_ Date \_\_\_\_\_





**DEPARTMENT OF DEFENSE**  
**HEADQUARTERS, JOINT TASK FORCE GUANTANAMO**  
**U.S. NAVAL BASE, GUANTANAMO BAY, CUBA**  
**APO AE 09360**

**JTF-GTMO Media Ground Rules**  
**Joint Task Force Guantanamo**

**March 2009**

These Ground Rules are established to ensure protected information, such as classified information, intelligence collections capabilities, and sources and methods are not compromised and to protect the security of JTF Troopers and detainees by preserving anonymity.

Failure to comply with these ground rules or the instructions of the Public Affairs escorts could result in permanent expulsion and may result in the removal of the parent news organization from further participation in covering JTF activities. Disclosure of classified information may subject the News Media Representative (NMR) to criminal prosecution.

**Department of Defense policies prohibit the filming/recording of detainees.**  
**Our mission is to ensure the detainee is protected under this policy.**

By initialing each item and signing this document you agree to the following conditions:

- \_\_\_\_\_ 1. Not to manipulate images to be anything other than as they were taken. **Panning, cropping, blurring, or any other forms of photo editing, as well as video editing, ARE NOT ALLOWED.**
- \_\_\_\_\_ 2. Not to publish, release, discuss or share information identified by JTF-Guantanamo personnel as being protected. **Protected information includes prohibited items listed in these ground rules as well as information or images determined protected by the Security Review Staff and Public Affairs Office.** All Imagery taken must be digital!

NMRs who desire to photograph or videotape detainees must do so in the following manner:

- \_\_\_\_\_ 3. NMRs *may* be permitted to tape or photograph from angles that do not identify detainees by facial or distinguishing features. NMRs *may* take images of detainees where the face or distinguishing features are not visible in the frame, such as tight photos/images/pictures of hands, tight shots of feet when a detainee is being moved, photos/images/pictures from above, and photos/images/pictures of the back of the head.
- \_\_\_\_\_ 4. NMRs *may* also take shots such as photos/images/pictures of empty facilities, images of detainees or groups in and about the detention facilities and detainees engaged in outdoor recreation or prayer, as long as identifying features are not visible.
- \_\_\_\_\_ 5. Interviews with JTF-GTMO senior commanders, support staff, detention camp personnel, and public affairs staff personnel are permitted after approval of the JTF-GTMO Commander and/or JTF Public Affairs.

The following media activities are **prohibited** and will be subject to embargo:

\_\_\_\_\_ 1. No front full facial shots of detainees may be taken at any time, even with the intent of distorting or hiding facial images during production and broadcast. Front facial shots at distances are prohibited. **Photos of other features considered distinguishing that could lead to the identity of a detainee are prohibited and will be embargoed by the Security Review Staff and/or Public Affairs Representative on scene during the security review.**

\_\_\_\_\_ 2. No audio, video recordings, photographs or other electronic images, or drawings, sketches or likenesses may be rendered of any detainee when that image or recording may reveal that detainee's identity or nationality. Identities, names and nationalities of any detainee will not be disclosed unless previously released by OSD (PA).

\_\_\_\_\_ 3. NMRs may not discuss or reveal where the detention, commissions or headquarters facilities are located on the Naval Base. No maps or sketches of the base or any facilities will be produced or released at any time. Images or descriptions of security measures will not be recorded, discussed or released at any time.

\_\_\_\_\_ 4. JTF personnel must approve the release of their own names or personal images.

\_\_\_\_\_ 5. Commanders and staff members may not discuss security measures, interrogation methods, or the specific intelligence gained from interrogations. JTF-GTMO members may discuss their role in the operations of JTF-GTMO as already released by OSD, but will not speculate as to future operations at Guantanamo.

\_\_\_\_\_ 6. Direct or indirect contact, communication, interviews, photography, videography or other interaction with Cuban or Haitian migrant personnel on Naval Base Guantanamo Bay is expressly prohibited.

\_\_\_\_\_ 7. All news media representatives are required to abstain from photography of radar domes and antenna arrays situated throughout Naval Station Guantanamo, as well as: **coastlines from Windmill Beach to Cuba, including shots from inside camps containing coastline, security checkpoints, any Intrusion Detection System, the air terminal, or any military aircraft.**

\_\_\_\_\_ 8. Selected movements of detainees may be observed, but NEVER permitted to be filmed, taped, or recorded. Reporting of detainees in transit, including ground or air movement, or movement between detention facilities, courtroom facilities and transportation (bus, ferry, aircraft, etc.) is not permitted.

\_\_\_\_\_ 9. Audio/video, sketching or camera coverage of detainee interrogations is not permitted.



**A security review of all media images will be conducted daily by the Security Review Staff and/or Public Affairs Representative. All reviews will be completed prior to departure from Naval Station Guantanamo.**

\_\_\_\_\_ 1. NMR is responsible for providing compatible video/audio format playback device for material review without copying images to personal computers.

\_\_\_\_\_ 2. NMR is responsible to ensure video imagery can be played directly to television or played back on a government provided computer. The current standard operating system for security review is Windows Media.

\_\_\_\_\_ 3. The security review process will consist of the NMR, Public Affairs staff member, and a JTF Security Review Staff member. NMR will provide ALL still and video imagery and audio files obtained while in all JTF areas during their visit to the security review panel.

\_\_\_\_\_ 4. The security review team will review images with the NMR present. The security review team will provide to the NMR, reasons for any embargo imposed/image deleted. Security review team member will identify by frame or photo number, all images that are not for publication or broadcast. A written conclusion of the panel will be provided to the NMR, with a copy retained at JTF-GTMO PAO.

Media representatives must agree to, initial each item and sign this Media Ground Rules document prior to being allowed access to Naval Station Guantanamo and JTF facilities. By signing this document, the NMR is agreeing to abide by these restrictions.

Failure to follow these ground rules and instructions will result in restricted access, removal from the installation and revocation of press credentials.

Each traveler must email this completed packet, initialed and signed, to  
JTF-GTMO Public Affairs at (b)(3):10 U.S.C. § 130b,(b)(5)  
or send by fax to (b)(5) ATTN: (b)(3):10 U.S.C. § 130b,(b)(5)

**I understand and will comply with the ground rules listed above. I also understand that the U.S. Government assumes no liability or responsibility for my personal safety, while on U.S. Naval Station, Guantanamo.**

Signature \_\_\_\_\_

Printed Name \_\_\_\_\_

Date \_\_\_\_\_

For information regarding these guidelines, please call JTF Media Relations at (b)(5)



**Department of Defense  
Media Ground Rules for  
Guantanamo Bay, Cuba (GTMO)  
September 10, 2010**

**Media Policy at Guantanamo Bay, Cuba  
Agree To Abide**

Media representatives must agree to and sign the attached Media Ground Rules prior to being allowed access to Naval Station, Guantanamo Bay, Cuba.

Failure to follow these ground rules and instructions may result in restricted access on GTMO, removal from the installation and revocation of press credentials. By signing this document, the News Media Representative (NMR) is agreeing to abide by these restrictions.

For further information regarding this policy, please contact OSD Public Affairs at 703-697-5131/5132.

Please sign the following, acknowledging that you have read and understand these ground rules and procedures, and agree to abide by them.

Acceptance of ground rules for media visits to Guantanamo Bay, Cuba

Name \_\_\_\_\_ Affiliation \_\_\_\_\_

Position \_\_\_\_\_ Work Phone \_\_\_\_\_

Cell Phone \_\_\_\_\_ Fax \_\_\_\_\_

Emergency contact information (Name and Phone number)

Name \_\_\_\_\_ Phone \_\_\_\_\_

I understand and will comply with the ground rules listed herein. I also understand that the U.S. Government assumes no liability or responsibility for my personal safety while on U.S. Naval Station, Guantanamo.

Signature \_\_\_\_\_ Date \_\_\_\_\_



## **A. Scope and Purpose of the Ground Rules**

1. This policy establishes procedures with respect to media visits to Naval Station Guantanamo Bay, Cuba, (GTMO) and the media coverage of military commission proceedings. The Defense Department will facilitate media access to the maximum extent possible, in an effort to encourage open reporting and promote transparency, consistent with the Military Commissions Act and accompanying rules and regulations, and the need to protect operational and national security, and comply with international treaty obligations.
2. The ground rules are established to protect operational security and to ensure the security of personnel, as well as the integrity of military commission proceedings. They are also designed to provide guidance to News Media Representatives (NMR) concerning what information will be deemed to be "protected information" for purposes of these ground rules.
3. NMRs must agree to abide by the following rules as a condition of access to GTMO and military commission proceedings. Failure to comply with these ground rules could result in permanent expulsion of the NMR and/or removal of the parent news organization from further access to GTMO or to military commissions. Permanent removal of a news organization may occur where there have been repeated violations by various NMRs affiliated with the organization, or there are other strong indications that the organization does not intend to abide by the ground rules.
4. The receipt of this document does not guarantee media travel or access to GTMO operations and activities. Permitted presence on GTMO does not imply unlimited access to personnel or facilities.
5. The Office of the Assistant Secretary of Defense for Public Affairs OASD (PA) is responsible for the development and implementation of media ground rules at Guantanamo Bay. Any questions regarding their implementation should be directed to OASD (PA). These ground rules will be reviewed periodically and updated as appropriate. Any recommendations for changes should be submitted to OASD (PA).
6. Nothing in these ground rules affects criminal liability under any other provision of law.

## **B. Release Authority**

Consistent with the media ground rules that are outlined here, the Department of Defense is the sole release authority for all military information contained in all media (e.g., audio visual, photography, graphics, sketches, etc.) gathered or produced within the Joint Task Force Guantanamo area of operation.

### **C. Protected Information**

1. Protected Information necessarily includes classified information. Protected Information also includes (i) information the disclosure of which could reasonably be expected to cause damage to the national security, including intelligence or law enforcement sources, methods, or activities, or jeopardize the physical safety of individuals, and (ii) information subject to a properly-issued protective order by an official authorized to issue such orders by law or regulation.

2. NMRs shall not publish, release, publicly discuss, or share information gathered at GTMO, or in transit to or from GTMO on transportation provided by DoD (or other U.S. government entities), that is Protected Information for purposes of these ground rules.

3. A NMR will not be considered in violation of these ground rules for re-publishing what otherwise would be considered Protected Information, where that information was legitimately obtained in the course of newsgathering independent of any receipt of information while at GTMO, or while transiting to or from GTMO on transportation provided by DoD (or other U.S. government entities).

4. While at GTMO, and in transit to and from GTMO, NMRs may be exposed to aspects of detention and base operations the disclosure of which must be avoided for reasons of national security, force protection and compliance with international treaty obligations. These operations are part of the base operations that the general public is not invited or permitted to view. As a result, JTF-GTMO has designated aspects of these operations whose disclosure is not permitted, and NMRs at GTMO will be required, as a condition of their visits, to safeguard this information, which will be deemed Operational Protected Information. Operational Protected Information, as determined by JTF-GTMO, is identified in these ground rules.

### **D. General Photography and Video Limitations**

1. At no time during a media visit is communication (verbal, written or other) with a detainee allowed. Attempting to communicate with a detainee and photographing or taking video of a detainee's attempts to communicate with members of the media are prohibited. If detainees become agitated at the presence of media, the media may be asked to leave for the safety and security of the detainees, NMR and the guard force.

2. Photographs or video shall **not** be taken of the following:

- a. Frontal facial views, profiles, ¾ views, or any view revealing a detainee's identity.
- b. Identifiable JTF-GTMO personnel, without their consent.
- c. Deliberate views of security protocols including security cameras, metal detectors, locks, keys, gates, reinforced doors or other security measures.

- d. The JTF-GTMO coastline between the Windmill Beach entry gate, east to Kittery Beach; this restriction includes views of Camp Iguana and the security gate from Windmill Beach and views of the tactical observation post from Kittery Beach.
- e. Panoramic views (an unobstructed or complete view of an area) of JTF-GTMO camp facilities and Office of Military Commissions (OMC) facilities that reveal access roads, facilities layout, security borders or locations of security checkpoints.
- f. Views of Checkpoint Roosevelt and Checkpoint Houston or observation post "New York".
- g. Deliberate views of fuel, water, electrical power or ammunition processing or storage facilities from within their enclosed boundaries including close-up views of valves, electrical power panels, fuel or water distribution pipes or fittings.
- h. Deliberate views of antennas, RADAR or communications facilities or equipment from within their marked boundaries.
- i. Bunker facilities on either side of AV-34/Courtroom One.
- j. Military Convoys arriving or departing OMC facilities or JTF-GTMO operational area.

#### **E. Operational Security Review**

1. NMRs will submit all still and video imagery taken at JTF-GTMO to a security review. Media members are responsible to ensure video imagery can be played to television or played back on camera. To this end, media members are responsible for providing compatible video format playback device for material review.

2. An operational security review (OPSEC) of visual recordings will be conducted daily, as required, or at a minimum prior to departure from JTF-GTMO. All images and video are required to be screened prior to upload into any laptop and prior to release.

3. During the OPSEC review, imagery that is determined to be in violation of these ground rules will be deleted or cropped to achieve compliance. For photographs, the NMR may request two (2) images per person per day be cropped to meet security requirements. Cropping is defined as cutting off the parts of a digital photograph deemed to be in violation. Blurring, smudging, fading, superimposing a black line or spot over certain parts of a photograph, or any other digital manipulation is not a substitution for cropping.

4. Photos selected for cropping will be moved from NMR's photo storage media (e.g., SD card) and saved onto a government computer. The original photo will be deleted from the NMR storage media and stored on the government computer until the final

disposition of the photograph has been decided. The photos will then be cropped by a JTF-GTMO PA representative on the government computer, renamed and saved back to the government computer. The newly created file will then be transferred back to the NMR storage device. There is no appeal of JTF-GTMO's proposed cropping; if the NMR disagrees with the proposed cropping, the cropped image will be deleted and the original photo may be appealed to the JTF-GTMO CDR (or his or her designated military representative other than the JTF-GTMO PAO).

5. For videos, the NMR must bring his or her editing equipment to GTMO. The NMR will edit his or her video to meet security requirements in the presence of a JTF-GTMO PA representative. The editing process should take no longer than 10 minutes per day per NMR video. Disputed sections of video must be edited and stored while the JTF-GTMO PA decision is being appealed. For NMR who do not have such video editing capability, approval or deletion are the only options.

6. If the NMR disagrees with the judgment of the JTF-GTMO PAO that the photograph or video image is in violation of these ground rules, the NMR may request that a copy of the image (in compatible format) be forwarded for appeal to the JTF-GTMO CDR (or his or her designated military representative other than the JTF-GTMO PAO) who will have no more than 24 hours to review the photograph and render a final decision as to whether the photograph will be approved for publication. If the JTF-GTMO CDR (or his or her designated military representative other than the JTF-GTMO PAO) concurs with the judgment of the JTF-GTMO PAO then the image will be deleted.

#### **F. Additional Rules and Procedures Specific to Military Commissions**

1. The Defense Department will facilitate media access to military commissions to the maximum extent possible, in an effort to encourage open reporting and promote transparency, consistent with the Military Commissions Act and accompanying rules and regulations, and the need to protect operational and national security, and comply with international treaty obligations. In order to facilitate maximum access consistent with security requirements, the following Media Ground Rules have been established.

2. OASD (PA) is the sole approval authority for visits by media personnel in conjunction with military commission proceedings. OASD (PA) will coordinate media, briefings, interviews, and communications support in connection with commission proceedings.

3. In each military commission proceeding, the military judge will specify in advance what information is considered Protected Information for purposes of that proceeding. Such information, in the absence of an inadvertent disclosure, shall not be released to the media. Protected Information necessarily includes classified information. Protected Information, for purposes of commission proceedings, also includes (i) information the disclosure of which could reasonably be expected to cause damage to the national security, including intelligence or law enforcement sources, methods, or activities, or jeopardize the physical safety of individuals, and (ii) information subject to

a properly-issued protective order by an official authorized to issue such orders by law or regulation.

4. If Protected Information is inadvertently disclosed during a session, NMRs are urged to respect any temporary media embargo issued by the military judge until any disputes about the status of the information are resolved.

5. While at GTMO to attend military commission proceedings, and in transit to and from GTMO for that purpose, NMRs may be exposed to aspects of detention and base operations the disclosure of which must be avoided for reasons of national security, force protection and compliance with international treaty obligations. These operations are not an inherent part of the public proceedings that occur in the military commissions, but rather are part of the base operations that the general public is not invited or permitted to view. As a result, JTF-GTMO has designated aspects of these operations whose disclosure is not permitted, and NMRs at GTMO will be required, as a condition of their visits, to safeguard this information, which will be deemed Operational Protected Information.

6. The GTMO Media Operation Center (GTMO MOC) is a place to conduct business. Alcohol will not be stored or consumed in the GTMO MOC or in and around the Hangar Conference Room. Media can use B18 which has a large refrigerator, chairs and TV as a social area. Media are free to store alcohol in their tent refrigerator or the in B18 refrigerator.

7. Media may conduct interviews in the Hangar Conference Room with prior coordination with the OASD (PA) representative.

8. JTF-GTMO tours: Tours of the current detention facilities, Camp X-Ray, and other facilities, are arranged through JTF-GTMO PA staff on a not-to-interfere basis with military commissions. These tours involve a significant amount of coordination and generally cannot be done during commissions proceedings. However, tours may be arranged as the hearing schedule and resources permit.

9. Appropriate clothing for camp tours consists of loose-fitting slacks (or jeans) and short/long sleeved shirts. Excluded are sleeveless shirts, tight-fitting clothing, brightly colored clothing and open-toed shoes.

#### **G. Media Viewing of Sessions**

1. As ordered by the military judge, sessions will be open for media observation to the maximum extent practical given the constraints of courtroom size and the requirement to safeguard protected information. Media unable to view from within the courtroom will be allowed to view proceedings via Closed Circuit TV (CCTV) feed to the GTMO MOC.

2. The level of access allowed for a given session is at the discretion of the military judge and is subject to change as the situation dictates. In an effort to balance the need to



safeguard protected information with the principle of openness, a three-tiered system will be used to determine the level of access allowed.

3. Open Sessions. This will be the standard posture for most commission sessions and allows for maximum openness. The military judge will normally allow Open Proceedings when no Protected Information is being discussed and there is a low risk of inadvertent disclosure of Protected Information. During Open Sessions, no fewer than 11 media representatives will be allowed in the courtroom. Media will be appropriately debriefed if Protected Information is inadvertently disclosed during a courtroom session and will be urged not to use the information. The remaining media representatives will be allowed to view sessions via CCTV in the viewing area of the GTMO MOC.

4. Open Sessions With Delay. In some cases, the military judge may determine that there is a significant risk of Protected Information being inadvertently discussed or inadvertently disclosed. In such cases involving Courtroom One, all media will view the proceedings from the GTMO MOC, where they will receive a feed from the CCTV. The CCTV feed will have a delay to allow security officers to interrupt the feed in the event of the disclosure of Protected Information. In such cases involving Courtroom Two, where the media and public observe proceedings from behind a glass partition, there will be a delay in the transmission of the audio portion of the proceedings to allow security officers to interrupt the feed in the event of the disclosure of Protected Information. These sessions are designed to continue to permit media access when a session would otherwise be closed.

5. Closed Sessions. The military judge will normally order Closed Sessions, or portions of Sessions, only when Protected Information is planned to be discussed. During Closed Sessions, no CCTV feed will be provided and no media will be in the courtroom. Procedural information on the session will be provided to the media members whenever possible, though some details may be excluded. It is anticipated that this procedure will only be used when absolutely necessary, and in accordance with the provisions of the Military Commissions Act. Whenever possible, a brief summary of unclassified information will be provided at the end of a closed session.

6. All NMRs observing the sessions in the courtroom are subject to the instructions of the military judge concerning such matters as behavior and appearance. Failure to comply with the military judge's instructions could result in a charge of contempt of court, which could curtail all further coverage by that media representative and, if a pattern of violation of orders is established, his/her news organization.

7. In the event technical difficulties interrupt the CCTV signal to the GTMO MOC and the military judge elects to continue without a CCTV feed to the GTMO MOC, the media in the courtroom will immediately be considered a pool and thus be required to share notes and observations with media in the GTMO MOC as soon as practical until the CCTV can be restored.

8. NMRs are not permitted to interact with the military judge or courtroom personnel, either during active sessions or breaks in the proceedings; they may interact with prosecution and defense counsel at the discretion of counsel. NMRs are also requested to respect the privacy of other military commission observers during trial recesses and not press for unsolicited interactions.

#### **H. Additional Information**

1. NMRs may request interviews of DoD personnel by submitting requests to the OASD (PA) representative at GTMO. Interviews with JTF-GTMO personnel, including senior commanders, support staff and detention camp personnel may be permitted and these individuals may be identified with their consent and the approval of the JTF-GTMO Commander.

2. Interviews with others not associated with JTF-GTMO or the military commissions proceedings, including with any Cuban, Haitian, or other migrant personnel, is expressly prohibited, unless specifically approved by the Commanding Officer, U.S. Naval Station Guantanamo Bay, Cuba.

3. Electronic devices are prohibited in the courtroom during courtroom sessions. This includes laptops, cell phones, and any other device with an "on/off switch." Paper notebooks, pens, pencils, and paper (including case-related documents) are permitted.

4. Video and audio recording and the taking of photographs in a courtroom during the proceedings and radio or television broadcasting of proceedings from a courtroom are prohibited.

5. Courtroom sketches may include the features of the defendant, judges, attorneys, witnesses and spectators, unless they have been declared "protected" by the judge. Sketch artists are requested to respect the wishes of victims' family members before sketching them and before using any such sketch in any publication. Courtroom sketches may not include the features of the members of the commission panel.

6. NMRs may conduct interviews with prosecutors and defense counsel participating in the commission proceedings, and with OASD (PA) and OMC personnel, with their consent, and these individuals may be identified by name, with their consent.

#### **I. Courtroom Seating Rules for Coverage of Military Commissions**

1. Courtroom seating for NMRs shall be made available to the maximum extent possible. In the event that the number of spectators exceeds the number of available seats, the following shall apply:

- a. No fewer than eleven (11) seats shall be reserved in the courtroom for NMRs, including one designated for the sketch artist (if present).

- b. If a NMR leaves the courtroom during a proceeding, they will not be allowed to return until a break in the proceedings is taken.
2. Courtroom seating will be decided by media pool. If the media cannot reach an agreement, the following rules will apply:
  - a. Courtroom seating will be allocated each day, by media category, and then by lottery with the sketch artist (if present) always having a seat. For allocation purposes, five media categories will be used to divide those seats: (3) print, (3) television, (3) wire and news service, (1) radio and (1) sketch artist. Lots will be drawn among participating outlets to assign courtroom seating. If a proceeding lasts more than one day, a new lottery will be conducted for each day.
  - b. Once a NMR has viewed one day's worth of sessions from within the courtroom, their name is withdrawn from the lottery until all media representatives in all categories who desire courtroom seating have had a turn in the courtroom.
  - c. Trading courtroom seating is not permitted. If a NMR draws a seat, they must use it or forfeit it. They may not trade, give away, or otherwise transfer the seat to another person. Seats turned back will be redistributed by lottery.
  - d. Once a day's session begins, seat allocations are considered used, provided the day's session lasts at least 30 minutes.

#### **J. Procedures for Enforcement of Ground Rules**

1. An NMR may seek to raise with a military judge that judge's designation of Protected Information, and, to the extent permitted by applicable law and military commissions rules, regulations, procedures and practice, the military judge may allow the NMR to be heard on the matter, in the event the NMR believes the Protected Information was in fact information that was legitimately obtained by the NMR in the course of newsgathering independent of any receipt of information at GTMO, or while transiting to or from GTMO on transportation provided by DoD (or other U.S. government entities). In the event the military judge undertakes to resolve the issue, OASD (PA) will defer to the military judge's ruling. In the event the military judge declines to rule on the issue after an opportunity to do so, the NMR is encouraged to bring the issue to OASD (PA) for appropriate consideration and disposition within the framework of these ground rules.

2. NMRs have an opportunity to challenge the designation of information as "Protected" where JTF-GTMO security personnel have so designated the information. A challenge to JTF-GTMO's designation of information as Protected shall be submitted in writing to the JTF-GTMO commander.

- a. A challenge may also be submitted to the JTF-GTMO commander by OASD (PA) in order to resolve an issue raised by an NMR.
- b. Written challenges must identify with specificity (i) the protected information at issue, (ii) the reason(s) for believing the protected designation is not (or is no longer) valid, and (iii) any supporting documentation relevant to substantiating that claim. A decision on the NMR's challenge will be rendered promptly.

3. If OASD (PA) believes that a NMR has violated these ground rules, it will, absent exigent circumstances, notify the NMR in writing of the concerns and provide the NMR an opportunity to be heard on whether a violation occurred and/or to present mitigating circumstances that bear upon any sanction, before taking any adverse action. An appeal of any adverse determination may be made to the Principal Deputy ASD/PA. The NMR's access to commission proceedings may be temporarily suspended while this process is underway. No final action will be taken to expel a reporter, deny future access or impose any other adverse action unless (i) the military judge makes a finding that a material violation of a Protective Order has occurred, or (ii) the JTF-GTMO commander makes a finding that a material violation of the ground rules provisions relating to Operational Protected Information has occurred, or (iii) the Assistant Secretary of Defense for Public Affairs (ASD/PA), in consultation with the General Counsel of the Department of Defense, makes a finding that a material violation of the ground rules has occurred; and, in each instance, ASD/PA, in consultation with the General Counsel, determines that the imposition of a sanction is needed to further an important governmental interest.

4. Nothing in this section is intended to interfere with a military judge's authority within his or her courtroom.

#### **K. Administrative Requirements/Guidance for NMR Covering Military Commissions**

1. The following support is provided during news media visits:
  - a. Transportation on military vehicles as required.
  - b. Use of military dining facilities. Costs for meals will be collected as required.
  - c. Billeting.
  - d. Emergency medical care, on a reimbursable basis.
  - e. Notification of the sponsoring news organization if a NMR becomes seriously ill or injured. The responsibility for notifying next of kin of all correspondents who become seriously ill or injured is the responsibility of the sponsoring news agency.

- f. Access to unclassified communications facilities as appropriate when available.
2. Transportation to and from GTMO for military commissions is provided via military aircraft, in coordination with OASD (PA). Media representatives' travel plans must remain flexible due to unexpected operational missions or inclement weather, either of which could result in flight cancellation or delay.
3. Media that are located within 500 miles of Guantanamo Bay may apply for an exception to policy to fly commercially to Guantanamo Bay. Requests for this exception to policy must be made in writing to OASD (PA) at least 72 hours prior to departure. Media personnel must arrive at Guantanamo Bay on the same day as the OMC arrival flight and they must depart Guantanamo Bay prior to or on the same day as the OMC departure flight. Any media who cannot make flight arrangements to depart Guantanamo Bay prior to or on the same day as the OMC departure flight, must depart on the OMC flight back to Andrews Air Force Base.
4. Media representatives must obtain the proper paperwork prior to departure for GTMO, including Invitational Travel Orders (ITOs) issued by OASD (PA), and personal identification documents. NMR are required to sign these ground rules prior to departure.
5. Recommend NMRs pack appropriate supplies and clothing for this tropical climate. Please bring only the minimum amount of personal effects and equipment. Media representatives must provide their own personal and professional gear, including protective equipment cases, batteries, cables, satellite telephones and converters.
6. NMRs are reminded that casual clothing is appropriate for this visit. Appropriate clothing consists of loose-fitting slacks and short/long sleeved shirts. Excluded are sleeveless shirts, tight-fitting clothing and open-toed shoes. NMRs are encouraged to travel with sufficient cash, credit cards, copies of Invitational Travel Orders (supplied) and immunization records. Weapons of any type are not authorized.
7. NMRs must travel with their passports. Those who do not have a passport will not be permitted to travel. Additionally, NMRs who do not hold a U.S. passport must have a valid journalist visa.
8. Media representatives should notify their personal physicians as soon as possible to receive any necessary immunizations. Recommended immunizations include, but are not limited to: immune serum globulin, tetanus, diphtheria, oral polio, typhoid, yellow fever, and flu shot (between 1 Nov-1 Apr).
9. Access to military medical care at GTMO is strictly on a reimbursable basis. The Naval Station hospital is prepared to deal with many types of routine medical complaints but major medical issues may require medical evacuation to the continental U.S. on a reimbursable basis.

## Appendix A

### **Definition of Terms**

**ASD/PA** - The Assistant Secretary of Defense for Public Affairs.

**CCTV** - Closed-circuit television feed of military commission proceedings.

**DoD** - U. S. Department of Defense.

**GTMO** - U.S. Naval Station, Guantanamo Bay, Cuba.

**JTF-GTMO** - Joint Task Force, Guantanamo Bay Naval Station.

**NMR** - News-media representative.

**OMC** - Office of Military Commissions.

**OASD (PA)**- Office of the Assistant Secretary of Defense for Public Affairs.